



Land Title Act 1994

Land Title Regulation 2015

Current as at 1 July 2016



Queensland

Land Title Regulation 2015

Contents

		Page
1	Short title	3
2	Commencement	3
3	Definitions	3
4	Lodging instruments	3
5	Forms	3
6	Fees	5
7	Repeal	6
Schedule 1	Offices of the land registry	7
Schedule 2	Fees	8
Schedule 3	Dictionary	12

Land Title Regulation 2015

1 Short title

This regulation may be cited as the *Land Title Regulation 2015*.

2 Commencement

This regulation commences on 1 December 2015.

3 Definitions

The dictionary in schedule 3 defines particular words used in this regulation.

4 Lodging instruments

- (1) A document in paper form may be lodged—
 - (a) at the offices of the land registry mentioned in schedule 1, part 1 during business hours; or
 - (b) at the offices of the land registry mentioned in schedule 1, part 2 at the times decided by the chief executive.
- (2) The chief executive must give a notice to the public of the times when a document in paper form may be lodged at the offices of the land registry mentioned in subsection (1)(b).
- (3) An electronic document, other than an electronic conveyancing document, may be lodged in the land registry through an electronic interface or other system made available for the purpose of electronic lodgement.

5 Forms

- (1) This section applies to a form to be lodged in the land registry, either in paper form or electronically, other than an electronic conveyancing document.

- (2) A form, other than a plan of survey, must—
 - (a) for a paper form—
 - (i) be printed on paper that is—
 - (A) international sheet size A4; and
 - (B) white bond of a density at least 80gm to a square metre; and
 - (ii) have all pages of the form and all attachments securely bound together in a way stated in the land title practice manual or otherwise approved by the registrar; and
 - (b) be free from discolouration and blemishes; and
 - (c) have clear margins no smaller than 10mm on all sides; and
 - (d) have a clear space no smaller than 90mm wide and 35mm deep at the top right-hand corner of the form for a duty imprint; and
 - (e) be completed on 1 side only; and
 - (f) comply with the following—
 - (i) use type size no smaller than 1.8mm (10 point);
 - (ii) if subparagraph (i) does not apply—
 - (A) for a paper form—the form is printed in a way that is permanent; and
 - (B) the form can be reproduced to produce a copy satisfactory to the registrar.
- (3) A plan of survey in paper form must be printed on paper that is—
 - (a) international sheet size A3; and
 - (b) of a density at least 130gm to a square metre.
- (4) An alteration on a form must be made by—
 - (a) striking through the printing or writing intended to be altered so the original printing or writing is still legible; and

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- (b) having each party to the form and each witness initial the alteration to the form.
- (5) However, the registrar may accept a form that does not comply with subsection (4)(b) if the registrar is satisfied it is not reasonable to require each party to the form and each witness to initial the alteration to the form.

6 Fees

- (1) The fees payable under the Act are stated in schedule 2.
- (2) If an instrument (the *rejected instrument*) is rejected by the registrar under section 157(1) of the Act, the fee paid for lodging the instrument is forfeited.
- (3) Subsection (4) applies if—
 - (a) the rejected instrument changes the ownership of more than 1 lot or an interest in more than 1 lot; and
 - (b) the lodgement fee paid for the rejected instrument included an amount for each additional lot; and
 - (c) the instrument is relodged within 1 year of the instrument being rejected.
- (4) The fee payable for the relodgement of the instrument is the fee that would be payable if the instrument related to only 1 lot.
- (5) Subsection (6) applies if—
 - (a) the lodgement fee paid for the rejected instrument included an additional fee for the transfer of a fee simple, or a lease under the *South Bank Corporation Act 1989*; and
 - (b) the instrument is relodged within 1 year of the instrument being rejected.
- (6) The additional fee is not payable for the relodgement of the instrument.
- (7) A fee is not payable for the lodgement and registration of an instrument that relates to—

- (a) the acquisition by the State of an interest in land; or
- (b) the release or surrender by the State of an interest in land, other than a fee simple interest.

7 Repeal

The Land Title Regulation 2005, SL No. 98 is repealed.

Schedule 1 Offices of the land registry

section 4

Part 1

Brisbane

Part 2

Beenleigh

Bundaberg

Caboolture

Cairns

Gold Coast

Gympie

Ipswich

Kingaroy

Mackay

Maryborough

Nambour

Rockhampton

Roma

Toowoomba

Townsville

Schedule 2 Fees

section 6

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1 Creating an indefeasible title or, on request, a separate indefeasible title (other than a deed of grant)—for each indefeasible title created (Act, s 37 or 57)	66.00
2 Lodging—	
(a) an instrument that changes ownership of a lot or an interest in a lot—	
(i) to record the death of an individual who is a joint tenant—	
(A) for 1 lot	33.00
(B) for each additional lot	nil
(ii) other than in the circumstances mentioned in subparagraph (i)—	
(A) for 1 lot	175.00
(B) for each additional lot	33.00
(b) a request to record a change of name of an individual, or to correct the name of an individual, who is the owner of a lot or an interest in a lot—	
(i) for 1 lot	33.00
(ii) for each additional lot	nil
(c) a plan of survey or an explanatory format plan—	
(i) for the plan	350.00
(ii) for each lot or interest surveyed or defined	26.00
(d) for establishing a community titles scheme—a request to record the first community management statement for the scheme	175.00

	\$
(e) for an established community titles scheme—a request to record a new community management statement for the scheme	85.00
(f) an application—	
(i) to reserve a name as the identifying name to be shown in the community management statement for a proposed community titles scheme (a <i>name reservation</i>) (Act, s 115F)	85.00
(ii) to extend a name reservation (Act, s 115G)	85.00
(iii) to withdraw a name reservation (Act, s 115G)	nil
(g) a request to record a change of the address for service of a body corporate recorded on an indefeasible title for common property	33.00
(h) a request—	
(i) to cancel registration of a writ of execution (Act, s 118)	nil
(ii) to register a discharge or satisfaction of a writ of execution (Act, s 119)	175.00
(i) an application for a certificate of title (Act, s 42)	nil
(j) a standard terms document (Act, s 169)	nil
(k) a request to remove from an indefeasible title a lease or easement that has expired or a profit a prendre that has expired or otherwise ended	nil
(l) a request to note the lapsing of a caveat under section 126(5) of the Act	nil
(m) any other instrument	175.00
3 Additional fee for lodging a transfer if the consideration is more than \$180,000—	
(a) for a transfer of a fee simple—for each \$10,000 or part of \$10,000 more than \$180,000	33.00
(b) for a transfer of a lease under the <i>South Bank Corporation Act 1989</i> —for each \$10,000 or part of \$10,000 more than \$180,000	33.00

Schedule 2

	\$
4 Examining sketch plans that are part of an instrument	33.00
5 Depositing or withdrawing a settlement notice (Act, ss 140 and 142)	33.00
6 Depositing or removing an administrative advice, other than an advice deposited, or removed, by the State	26.00
7 Preparing and serving a notice of a caveat (Act, s 123)	33.00
8 Requisitioning an instrument or document lodged for registration (Act, s 156)	33.00
9 Search for—	
(a) an indefeasible title, if the information is generated—	
(i) for an entity mentioned in section 35(4) of the Act	14.90
(ii) otherwise	18.15
(b) the historical details of a title, if the information is generated—	
(i) for an entity mentioned in section 35(4) of the Act	23.35
(ii) otherwise	26.70
10 Copy of—	
(a) a certificate of title, if the image is generated—	
(i) for an entity mentioned in section 35(4) of the Act	14.90
(ii) otherwise	18.15
(b) a plan of survey, if the image is generated—	
(i) for an entity mentioned in section 35(4) of the Act	16.15
(ii) otherwise	19.45
(c) any other instrument or document, including a community management statement	35.35

	\$
11 Search of a statement of registered dealing, community titles scheme or administrative advice against an indefeasible title	3.00
12 Investigative search of the register by an employee of the department (not including providing a copy of a document)—	
(a) if no additional computer programming time is required—for each hour or part of an hour	113.80
(b) if additional computer programming time is required—for each hour or part of an hour	317.70
13 Certifying a copy of a document mentioned in section 35(1)(b) of the Act	33.00
14 Providing lodgement support service bundle 1 to an ELN in relation to a conveyancing transaction	14.90
15 Providing lodgement support service bundle 2 to an ELN in relation to a conveyancing transaction	11.75

Schedule 3 Dictionary

section 3

administrative advice means an advice that is an administrative advice under the land title practice manual.

conveyancing transaction see the Electronic Conveyancing National Law (Queensland), section 3.

ELN see the Electronic Conveyancing National Law (Queensland), section 3.

land title practice manual means the manual of land title practice kept under section 9A of the Act.

lodgement support service bundle 1, for a conveyancing transaction, means—

- (a) the particulars recorded in the freehold land register that are necessary to do any of the following in relation to the transaction—
 - (i) complete each instrument that may be lodged for the transaction;
 - (ii) identify anything in the register that is changed, lodged, noted, recorded or registered; and
- (b) confirmation, for each completed instrument, as to whether the instrument may be lodged electronically.

lodgement support service bundle 2, for a conveyancing transaction, means—

- (a) the particulars recorded in the freehold land register that are necessary to complete each instrument that may be lodged for the transaction; and
- (b) confirmation, for each completed instrument, as to whether the instrument may be lodged electronically.

1 Index to endnotes

- 2 Key
- 3 Table of reprints
- 4 List of legislation
- 5 List of annotations

2 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amd	= amendment	prov	= provision
t			
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renu	= renumbered
		m	
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	
notf	= notified	rv	= revised version
d			
num	= numbered	s	= section

Key	Explanation	Key	Explanation
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
		m	
prev	= previous		

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Current as at	Amendments included	Notes
1 December 2015	none	
1 July 2016	2016 SL No. 59	

4 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note.

Land Title Regulation 2015 SL No. 145

made by the Governor in Council on 22 October 2015

notfd <www.legislation.qld.gov.au> 23 October 2015

ss 1–2 commenced on date of notification

remaining provisions commenced 1 December 2015 (see s 2)

exp 1 September 2026 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Natural Resources and Mines Legislation (Fees) Amendment Regulation (No. 1) 2016 SL No. 59 ss 1–2(1), pt 12

notfd <www.legislation.qld.gov.au> 27 May 2016

ss 1–2 commenced on date of notification

pt 12 commenced 1 July 2016 (see s 2(1))

5 List of annotations

SCHEDULE 2—FEES

sch 2 sub 2016 SL No. 59 s 37